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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/665,030	09/16/2003	Kenneth C. Miller	F02-066A	4490

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EXAMINER

TORRES VELAZQUEZ, NORCA LIZ

ART UNIT	PAPER NUMBER
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1771

DATE MAILED: 05/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/665,030

Applicant(s)

MILLER ET AL.

Examiner

Norca L. Torres-Velazquez

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>91603</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 4, 5, 7, 10, 11 and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by GREENE (US 206,436).

GREENE discloses a paper for roofing sheating formed of a perforated sheet or sheets of paper interposed between covering-sheets, all firmly united. Layer A represents a sheet of paper perforated throughout its length. B represents sheets or layers of paper which are laid over the sheet A, so as to enclose the same, and united thereto by means of paste, gum, cement, or other glutinous substance interposed between the faces of the sheets. The reference further teaches that some of the glutinous substance will enter the perforations of the sheets A and dry therein, whereby the several sheets will be bound and securely held together. (Figure; Columns 1-2)

The reference also teaches the use of a sheet of fabric, netting, or metal between the covering sheets. The Examiner equates this teaching to the at least additional layer of material between the first and second layers in claim 11. Alternatively, a laminate including such layer could also be equated to the first layer and second layer of the present invention, therefore, reading on the limitations of claims 4-5.

It is the Examiner's interpretation that layer A with perforations equates to the middle layer of the present invention and layers B equate to the first and second layers.

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With regards to claim 7, it is noted that the reference teaches the use of sheets or layers of paper for the layers B, which is equated herein to the claimed sheeting material.

With regards to claim 10, it is noted that the reference teaches the use of paste, gum, cement or other glutinous substance to bond the layers; these are equated to the glues and hot melt adhesives claimed herein.

With regards to claim 11, it is the Examiner's interpretation that the teachings of GREENE read on the presently claimed process.

It is noted that while the preamble of the present invention claims "a composite vehicle panel", it is the position of the Examiner that since prior art or record meets all of the structural limitations there is nothing on record to evidence that the composite for roofing or sheeting taught by GREENE, would not function in the desired capacity. It is noted that the composite structure taught by the GREENE reference discloses all the structural limitations of the present invention. Applicant is invited to evidence otherwise.

3. Claims 1-3, 7, 10 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by RIGHINI (FR 2712616 A1).

The reference discloses a multi-layered door panel that has two outer layers connected to blocks passing through holes in the middle layer. (Title) The door panel consists of three basic layers (1, 2, 3) of which the middle one (2) has holes (4) in it for connectors (5) joining the two outer layers (1, 3). The connectors (5) are attached by adhesive to the inner surfaces of both outer panels. (Abstract; Refer to Figure)

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over CHOI et al. (KR 297298 B) in view of RIGHINI (FR 2712616 A1) or in the alternative in view of GREENE (US 206,436).

CHOI et al. discloses a panel for wall body and interior of automobile. (Title) The panel generally comprises an intermediate layer (120) and a surface layer (20). The surface layer (20) is made of natural fiber such as linen or yam, especially, Flax, Hemp, Jute or the like; or synthetic fiber such as polypropylene and polyester fiber. Alternatively, the intermediate layer (130) made of wood including Oregon pine, plywood, or MDF. The reference teaches using a calender process to adhere the layers. (Abstract; Figure)

CHOI et al. is silent to having apertures or holes in the middle layer.

RIGHINI and GREENE teach the use of apertures in the middle layer of a three-layer laminate as stated in paragraphs 2 and 3 above.

Since all the references are directed to laminate materials, the purpose disclosed by RIGHINI and GREENE would have been recognized in the pertinent art of CHOI et al.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the middle layer of the composite of CHOI et al. and provide

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with apertures with the motivation of joining the two outer layers through the apertures as disclosed by both RIGHINI and GREENE. (Refer above)

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

KAZAMA (US 4,150,186) – discloses a composite board structure that comprises a corrugated fiberboard and a facing web which is attached to the outer face of a liner of the corrugated fiberboard by means of a layer of a hot melt adhesive material between the liner and the facing web, the liner being formed with perforations. (Abstract)

MOENS (US 4,075,380) – refer to Figures

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Norca L. Torres-Velazquez whose telephone number is 571-272-1484. The examiner can normally be reached on Monday-Thursday 8:00-4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrel Morris can be reached on 571-272-1478. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Norca L. Torres-Velazquez
Examiner
Art Unit 1771

April 28, 2005